

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0475

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JAMES JOSEPH MAIN, JR.,

Defendant and Appellant.

FILED

NOV 06 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME TO PRODUCE
TRANSCRIPTS ON APPEAL**

COMES NOW, Joslyn Hunt, Chief Appellate Defender, and respectfully requests an extension of time until January 15, 2010, in which to prepare, file, and serve the transcripts on appeal. An affidavit from Stacy M. Baldwin is attached to this motion. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 6th day of November, 2009.OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
P.O. Box 200145
Helena, MT 59620-0145By: Joslyn Hunt
JOSLYN HUNT
Chief Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time to Produce Transcripts on Appeal to be mailed to:

GINA DAHL
Hill County Attorney
County Courthouse
315 Fourth Street
Havre, MT 59501

STACY BALDWIN
Official Court Reporter
315 - 4th Street
Havre, MT 59501

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
Helena, MT 59620-1401

JAMES J. MAIN, JR. 3002286
Dawson County Correctional Center
440 Colorado Blvd
Glendive, MT 59330

DATED: 11/16/2009 Shah B. Brader

AFFIDAVIT OF STACY M. BALDWIN
OFFICIAL COURT REPORTER FOR THE 12th JUDICIAL DISTRICT

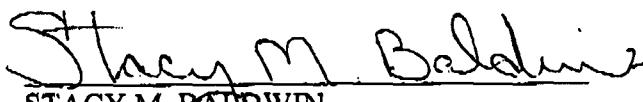
STATE OF MONTANA)

: ss

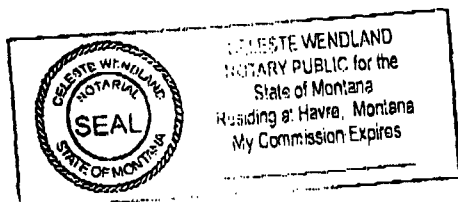
COUNTY OF HILL)

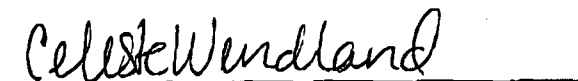
Stacy M. Baldwin, being first duly sworn upon her oath deposes and states as follows:

1. *The State of Montana v. James Main, Junior*, Hill County Cause No. DC-06-163, came before the Court for jury trial on February 2, 2009.
2. Defendant requested the transcript on August 21, 2009.
3. I also had deadlines to complete transcripts for additional requests and cases on appeal.
4. Despite diligent efforts, I was unable to produce the transcript in this matter by the deadline due to my workload
5. I would like to have until January 15, 2010 to complete the transcript.
6. Further your affiant sayeth naught.


STACY M. BALDWIN

SUBSCRIBED AND SWORN to before me this 5th day of November
2009.




Celeste Wendland
Notary Public for the State of Montana
Residing at Havre, MT
My commission expires 1-16-2011